

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EDWARD HALVERSON,
 #1030045

Plaintiff,

vs.

HOWARD SKOLNIK, *et al.*,

Defendants.

2:10-cv-01132-PMP-LRL

ORDER

On August 2, 2010, the court issued an order (docket #8) consolidating this civil rights action with three other actions that raised nearly identical allegations: that the inmate-plaintiffs are insulin-dependent diabetics and that on or about the end of June 2010, Southern Desert Correctional Center ("SDCC") medical personnel issued them a different type of insulin syringes that were not single-use syringes. (*Frixione v. Skolnik, et al.*, 2:10-cv-01235-PMP-RJJ (docket #1); *Jones v. Skolnik, et al.*, 2:10-cv-01214-RLH-LRL (docket #1); *Rea v. Skolnik, et al.*, 2:10-cv-01217-PMP-PAL (docket #1)). Plaintiffs in the latter three cases additionally allege that when inmate Halverson questioned staff about the expiration date of the syringes, the staff collected and removed or concealed the remaining syringes. Halverson helped the plaintiff in these three cases prepare their complaints, and all three

1 complaints name the same defendants, allege the same facts and constitutional violations and seek
2 similar injunctive relief.¹ On July 16, 2010, an SDCC inmate filed a fifth action regarding the same
3 allegations, which was subsequently consolidated with the above matters (*Powell v. Skolnik, et al.*, 2:10-
4 cv-01182-PMP-LRL).

5 On July 29, 2010, another SDCC inmate filed a sixth action that again sets forth nearly
6 identical allegations as those described above (*Charbonnet v. Skolnik, et al.*, 2:10-cv-01273-GMN-RJJ
7 (docket #1)). Halverson also assisted Charbonnet in preparing his complaint.

8 Under Rule 42 of the Federal Rules of Civil Procedure, the court may consolidate actions
9 when they “involve a common question of law or fact.” FRCP 42(a)(2). Such consolidation promotes
10 judicial efficiency and avoids potentially conflicting results. *See generally*, FRCP 42. The instant
11 action, along with the three other actions discussed herein, involve nearly identical allegations, and thus
12 clearly involve common questions of law or fact. Accordingly, the instant case is consolidated with the
13 four other actions discussed herein that have previously been consolidated.

14 **IT IS THEREFORE ORDERED** that the following action shall be consolidated
15 pursuant to FRCP 42:

16 CHARBONNET V. SKOLNIK, ET AL., 2:10-cv-01273-GMN-RJJ
17 with the cases that were previously consolidated, the lead case being
18 HALVERSON V. SKOLNIK, ET AL, 2:10-cv-01132-PMP-LRL.

19 **IT IS FURTHER ORDERED** the following action:

20 CHARBONNET V. SKOLNIK, ET AL., 2:10-cv-01273-GMN-RJJ

21 is hereby re-assigned to United States District Judge Philip M. Pro and United States Magistrate Judge
22 Lawrence R. Leavitt.

23 **IT IS FURTHER ORDERED** that the Clerk of Court **shall file** a copy of this order in
24 each of these actions:

25
26

¹The complaints in all consolidated actions will be screened pursuant to 28 U.S.C. § 1915(e)(2)
after the receipt and resolution of applications to proceed *in forma pauperis*.

1 CHARBONNET V. SKOLNIK, ET AL., 2:10-cv-01273-GMN-RJJ;
2 POWELL V. SKOLNIK, ET AL., 2:10-cv-01182-JCM-PAL;
3 FRIXIONE V. SKOLNIK, ET AL., 2:10-cv-01235-PMP-RJJ;
4 JONES V. SKOLNIK, ET AL., 2:10-cv-01214-RLH-LRL;
5 REA V. SKOLNIK, ET AL., 2:10-cv-01217-PMP-PAL

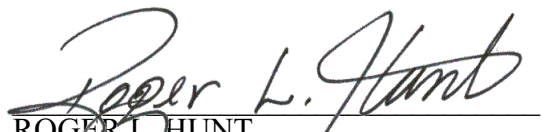
6 **IT IS FURTHER ORDERED** that the Clerk of Court **shall modify** the docket of each
7 of these actions:

8 HALVERSON V. SKOLNIK, ET AL., 2:10-cv-01132-PMP-LRL;
9 CHARBONNET V. SKOLNIK, ET AL., 2:10-cv-01273-GMN-RJJ;
10 POWELL V. SKOLNIK, ET AL., 2:10-cv-01182-JCM-PAL;
11 FRIXIONE V. SKOLNIK, ET AL., 2:10-cv-01235-PMP-RJJ;
12 JONES V. SKOLNIK, ET AL., 2:10-cv-01214-RLH-LRL;
13 REA V. SKOLNIK, ET AL., 2:10-cv-01217-PMP-PAL

14 to reflect that these six matters have been consolidated and that the lead action is:
15 HALVERSON V. SKOLNIK, ET AL., 2:10-cv-01132-PMP-LRL.

16 **IT IS FURTHER ORDERED** that each of the actions shall proceed in its own right.

17
18 DATED this 20th day of September, 2010.

19
20 
21 ROGER L. HUNT
22 Chief United States District Judge
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